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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/714,304	11/17/2000	Nobuhiro Taki	1566.1001/JDH	4927

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EXAMINER
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VO, TIM T

ART UNIT	PAPER NUMBER
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2189

DATE MAILED: 11/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/714,304

Applicant(s)

TAKI, NOBUHIRO

Examiner

Tim T. Vo

Art Unit

2189

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on amendment filed on 9/10/03.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,2,5-9 and 15-19 is/are allowed.
- 6) ☒ Claim(s) 3,4,10-14 and 20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☒ Interview Summary (PTO-413) Paper No(s). 5.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

### **Part III DETAILED ACTION**

#### ***Notice to Applicant(s)***

This application has been examined. Claims 1-20 are pending.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 3-4, 10-14 and 20 are rejected under 35 U.S.C. § 102(b) as being anticipated by Henrikson patent number 5,923,673.

As for claims 3 and 20, Henrikson teaches a serial bus interface device having a function of automatically reconstructing a topology when the device is inserted or withdrawn during operation of a serial bus (see figure 1 and column 1 lines 25-43, wherein a device is added or removed from the interface card 20 will then automatically reconfigure itself for transmitting data between the existing nodes),

comprising a physical layer circuit serving as a physical interface to which one or more identification numbers are assigned when the serial bus interface device is connected to the serial bus (see figure 1 and column 3 lines 28-38, physical interface 22 for connecting peripheral devices 34-44, further column 1 lines 29-35 teaches when a device is being added or removed the bus will then automatically reconfigure itself for

transmitting data between the existing node. This teaching applies for reassigning identification numbers on the bus).

As for claim 4, Henrikson teaches data storing unit for storing data on the serial bus, which is received by the physical layer circuit (see column 3 lines 39-53).

As for claim 10, Henrikson teaches data condition for monitoring data on the serial bus, which is received by the physical layer circuit and when data matching a predetermined condition is detected, outputs a trigger signal, wherein the data storing unit stores data in response to the output of the trigger signal, wherein the data storing unit stores data in response to the output of the trigger signal (see figure 1, physical layer 22, peripheral devices 34-44, analyzer is coupled to the IEEE 1394 bus and column 3 lines 26-53).

As for claim 11, Henrikson teaches transferring data to be transmitted onto the serial bus via the physical layer circuit to the physical layer circuit (see figure 1, physical layer 22, bus IEEE 1394 and column 3 lines 39-53).

As for claim 12, Henrikson teaches transmission data storing unit for storing data to be transmitted (see column 3 lines 39-53).

As for claim 13, Henrikson teaches data transmission condition detecting unit for monitoring data on the serial bus, which is received by the physical layer circuit and, when data matching a predetermined condition is detected, outputs a trigger signal (see figure 1, physical layer 22, peripheral devices 34-44, analyzer is coupled to the IEEE 1394 bus and column 3 lines 26-53);

wherein the control circuit transfers data to be transmitted which is stored in the transmission data storing unit in response to the output of the trigger signal to the physical layer (see column 3 lines 30-53).

As for claim 14, Henrikson teaches a pair of communication ports (see figure 1, 2 ports from physical interface 22 and column 3 lines 30-38); and

converting unit for converting data received from the serial bus via the physical circuit (see column 3 lines 45-50);

wherein data received by one of the pair of communication ports or the converted data is transferred to the other communication port (see column 3 lines 25-53).

### ***Response to Arguments***

Examiner agreed with the applicant's remarks that Henrikson teaches if a device is so added or removed the bus will then automatically reconfigure itself for transmitting data between the existing nodes. This teaching is equivalent to claims 3-4, 11-14 and 20 as rejected above. Claim 1 and newly amended claims 18-19 overcome Henrikson with the phrase "a physical layer circuit serving as a physical interface without being given an identification number during the operation of the serial bus after the serial bus interface device is connected to the serial bus"

### ***Conclusion***

2. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

Art Unit: 2189

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tim T. Vo whose telephone number is 703-308-5862. The examiner can normally be reached on 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on 703-305-4815. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-2100.



Tim T. Vo  
Examiner  
Art Unit 2189

T.V  
November 6, 2003